

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA**

LANETTE F. COLE,

Plaintiff,

v.

**JO ANNE B. BARNHART,
Commissioner of Social
Security Administration,**

Defendant.

Case No. CIV-06-227-SPS

ORDER REMANDING CASE FOR FURTHER PROCEEDINGS

On June 9, 2006, Plaintiff filed the subject Complaint, alleging that the Administrative Law Judge (“ALJ”) should have determined Plaintiff to be disabled during the relevant period of time and awarded benefits.

Following the submission of the Plaintiff’s Brief, the Defendant filed an Agreed Motion to Reverse and Remand [Docket No. 20] on December 15, 2006, requesting the case be remanded so the ALJ can address the issue of whether Plaintiff can perform her past relevant work, obtain vocational expert evidence, and if necessary, determine if other work exists in significant numbers in the national economy.

The Defendant represents in their Motion that Plaintiff’s counsel has been contacted and does not object to the relief requested by the Defendant. Further, this Court finds as a matter of law that the ALJ’s decision is not supported by substantial evidence and the appropriate findings were not made to permit the affirmation of the ALJ’s decision. Consequently, this case will be reversed and remanded for further proceedings.

IT IS THEREFORE ORDERED that the Agreed Motion to Reverse and Remand [Docket No. 20] is hereby **GRANTED**. Accordingly, the decision of the ALJ is hereby **REVERSED** and this case is hereby **REMANDED** to Defendant pursuant to the fourth sentence of 42 U.S.C. §405(g) for further administrative proceedings as outlined in the Motion.

IT IS SO ORDERED this 10th day of January, 2007.



STEVEN P. SHREDER
UNITED STATES MAGISTRATE JUDGE